

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In Re:) Case No. 09-53182-659
) Chapter 13
Richard P. Walther, Jr., and)
Julie M. Walther) DEBTORS' RESPONSE TO MOTION
) FOR RELIEF FROM THE AUTOMATIC STAY
Debtors,) FILED BY DCFS USA, LLC
)
DCFS USE, LLC)
)
Movant,)
) Filed by: William M. Spieler
vs.)
)
Richard P. Walther, Jr., and) William M. Spieler
Julie M. Walther) FDCEN 10616, MBEN 29364
) Leslie, Spieler & Fulford LLC
and) Attorney for Debtors
JOHN V. LABARGE, JR.,) 1 South Oak Street
) Union, Missouri 63084
Respondents.) TX (636) 583-3131
) FX (636) 583-3076
) billspieler7600@yahoo.com

CONSENT

DEBTORS' RESPONSE TO MOTION FOR RELIEF FROM THE AUTOMATIC STAY

COME NOW, Debtors, by and through their attorney of record, and for their response state as follows:

1. Debtors ADMIT Paragraphs 1, 2, 4 and 5 of the motion.
2. The Debtors, by and through their counsel, have insufficient information to either admit or deny Paragraph 3. Therefore, the Debtors wish to deny Paragraph 3.

WHEREFORE, Debtors, having fully answered and responded, state to the Court that they wish to SURRENDER the above referenced vehicle which is the subject of this motion and furthermore Debtors CONSENT to the motion filed by DCFS USA, LLC and request that the Court enter its order, judgment and decree in this matter and for such other and further orders as to this court may seem just and appropriate in the premises.

Respectfully submitted,

/S/ William M. Spieler
William M. Spieler
FDCEN 10616, MBEN 29364
Leslie, Spieler & Fulford LLC
Attorney For Debtors
1 South Oak Street
Union, Missouri 63084
TX(636) 583-3131
FX(636) 583-3076
billspieler7600@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via electronic filing in the CM/ECF System of the United States Bankruptcy Court for the Eastern District of Missouri to the parties requesting service by electronic filing. I hereby also certify that a copy of the foregoing was served via United States mail, first class postage prepaid, on the date of the electronic filing of this document to those individuals and entities not requesting service by electronic filing. The individuals and entities being served electronically or by mail are:

John V. LaBarge, Jr.
Office of the Chapter 13 Trustee
P.O. Box 430908
St. Louis, Mo. 63143

Office of the U.S. Trustee
111 South 10th. Street
Suite 6353
St. Louis, Mo. 63102
U.S. Trustee

Angela R. Collins
7700 Bonhomme Ave., 7th Floor
St. Louis, MO 63105
Attorney for Creditor

Richard & Julie Walther
1035 Delmar Ave.
Union, MO 63084
Debtor

On this 3rd day of March, 2010

/S/ Laura A. Voigt
LAURA A. VOIGT